

PARKS, SPORTS & CULTURAL AFFAIRS COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Parks, Sports and Cultural Affairs of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York on **October 30, 2003.**

MEMBERS PRESENT:

Legislator Ginny Fields, Chairperson

Legislator Cameron Alden

Legislator Angie Carpenter

Legislator Lynne Nowick

ALSO IN ATTENDANCE:

Paul Sabatino, Counsel to the Legislature

Judith Gordon, Commissioner of Parks

Erin Barbara - Aide to Legislator Fields

Doug Sutherland - Aide to Legislator Carpenter

Sean Clancy - Budget Analyst/Budget Review Office

MINUTES TAKEN BY:

Diana Kraus - Court Stenographer

(THE MEETING WAS CALLED TO ORDER AT 11:45 AM)

CHAIRPERSON FIELDS:

We're going to begin the meeting of the Parks Committee. And we'll begin with the pledge of

allegiance led by Legislator Alden.

(SALUTATION)

CHAIRPERSON FIELDS:

Commissioner, can you come on up? I guess we just want to talk about a couple of different things that you said you wanted to respond to or elaborate on. The first, I guess, would be the Montauk Airport survey status.

COMMISSIONER GORDON:

Yes. The survey hasn't happened yet, but we're in the process of hiring somebody to do it. I had had discussion with the Department of Public Works. They thought that perhaps maybe they may be able to go out and do it themselves, but we do have to hire somebody. And I think the estimate that they gave is probably in the neighborhood of \$6,000. So we're in the process of trying to work with the Budget Office to find that \$6,000 also.

CHAIRPERSON FIELDS:

Suffolk Trap and Skeet status.

COMMISSIONER GORDON:

The Health Department has been testing before we have some preliminary cleanup that we had done. And before we can dispose of the material, the Health Department needed to test it. And preliminary testing indicates that it's going to be on the more expensive side to dispose of this material. So there's a possibility that we may have to dip into the capital funds that we have for 2004 in order to do this. So it's going to delay that process a little bit more. Although as soon as the money gets appropriated in 2004, we can spend it.

CHAIRPERSON FIELDS:

Why do we have to dispose of it?

COMMISSIONER GORDON:

Well, because I think the process for advertising for a new RFP may take too long. That's the short answer.

CHAIRPERSON FIELDS:

But what does that have to do with disposing of it?

COMMISSIONER GORDON:

Because I think we may be put under a time constraint in order to deal with the situation.

CHAIRPERSON FIELDS:

I still don't know what that means. Why do we have to dispose of it? Why can't we just spread it around since it is a trap and skeet range?

COMMISSIONER GORDON:

Because it's got to be actually used as a trap and skeet range for us to do that. And right now it's not being used for the trap and skeet range.

CHAIRPERSON FIELDS:

So why would we be under time constraints to get rid of that?

COMMISSIONER GORDON:

Because if the material is of a nature that it's more toxic rather than if -- if the material is of a nature that it is more toxic, we may be under a time line as to how quickly we need to deal with it.

CHAIRPERSON FIELDS:

But we should have dealt with it a year or two ago; a year and a half ago. So I don't see how we're suddenly under a time line.

COMMISSIONER GORDON:

Well, I think a year ago the material wasn't quote toxic. I think there's a possibility now that it could be looked at that way.

CHAIRPERSON FIELDS:

Where is that information coming from?

COMMISSIONER GORDON:

It's coming from the Health Department. I don't know if they're finished with their process yet, but it would be coming from the Health Department.

CHAIRPERSON FIELDS:

How long have they been working on this? Isn't it months and months and months?

COMMISSIONER GORDON:

Well, it's probably a couple of months. It's probably a couple of months, yes.

CHAIRPERSON FIELDS:

Well, from what I understand from Budget Review, there are many more, I think, vacancies in the Parks Department that haven't been filled. And so there is a budget that could be allowed to utilize in this time frame of 2003 to do that clean up if it had to be done.

COMMISSIONER GORDON:

I don't know whether there's enough funding because I think it could be in the neighborhood of more than a hundred thousand dollars.

CHAIRPERSON FIELDS:

Sean, you're on.

MR. CLANCY:

If it is in the nature of a hundred thousand dollars, I don't know if there would be sufficient funding because since the time we last met, there have been a number of new positions that were filled. So that number that we had talked about before is dwindled, so I don't think there would be sufficient funding at this time for a hundred thousand dollars if that's what it is.

CHAIRPERSON FIELDS:

When would you get the answer from the Health Department?

COMMISSIONER GORDON:

Well, I can press them for an answer sooner rather than later.

CHAIRPERSON FIELDS:

Well, how about we press them for an immediate answer instead of a sooner answer?

COMMISSIONER GORDON:

Okay.

CHAIRPERSON FIELDS:

Because we've been waiting for months. And I've been asking about this at least six months. And I find it -- I don't know what I find it. It's annoying at least that number one, it wasn't taken care of a long time ago before the last RFP. And since that time that it's still there or that it's not being able to be contained on the property.

COMMISSIONER GORDON:

And I agree with you, Legislator Fields. I totally agree with you.

CHAIRPERSON FIELDS:

Okay. I will place a call to the Health Department also and see what we can do. I think there's just one other -- one other problem, I guess, that is occurring. And that is on the Southaven horseback riding RFP or -- I don't even know what we're going to call it. I got -- do I have that material? Apparently there was an RFP to have a horseback riding concession or concessionaire. And --

COMMISSIONER GORDON:

Would you like me to take you through the scenario?

CHAIRPERSON FIELDS:

Yeah.

COMMISSIONER GORDON:

I can certainly do that.

CHAIRPERSON FIELDS:

Yeah, why don't you do that?

COMMISSIONER GORDON:

We had a licensee running the Southaven stables, I think, since approximately 1993. I'm with the County Parks Department since '96 and I remember them being -- having problems with this particular licensee going back even to that point in time. They -- and over the last few years it's gotten progressively worse -- they were late paying bills, checks would bounce. They were having -- there were issues with them getting rid of the manure that was piling up. We were not happy with the conditions at the facility. So we were -- their agreement was up for renewal September 30th of this year. We decided not to renew the agreement. We had made that decision earlier on in the year. We did issue an RFP. We were not happy with the

responses that we got. We do not feel that they were responsive to what was listed in the RFP, particularly in terms of their financial ability to handle this.

So we decided not to even go through the interview process because I thought it was a waste of time. We consulted with the County Attorney's Office. And I came with up with the idea could we bring in a temporary interim manager to operate the facility until we could issue a new RFP. And the reason that I did that was because I didn't want the facility to close like trap and skeet and not be able to reopen it for a number of years. The County Attorney's Office said that it would be my decision to do that, but they didn't say that I couldn't do it. And in order to -- because what I had been thinking at the time was just going to one of our existing stable operators and asking them if they could help us out for a year.

We talked about it in the office. And we decided well, let's go out and do an advertisement for the temporary licensee, which we did do. And I believe we got eight proposals. And the proposals were markedly better than the proposals that we had gotten in the spring. I think maybe -- and it was some of the people had put in -- some of the people that had responded in the spring responded again for this temporary license. From -- I believe we got eight responders. Of the eight responders, we picked out three that we interviewed. And the one that we picked, we -- the one that we picked, one of the main reasons why we picked them was because they were able to hit the ground running so to speak. They can go in and be up and running in a matter of hours; literally a matter of hours. They moved into the facility on September 8th. And we've -- in the Parks Department, we're very happy with what's happening there. The facility is being cleaned up. It looks better. The people are on-site operating the facility on a regular basis. The manure is being disposed of properly. And that's the status; the current status.

We are in the process of -- I believe we've sent out letters to people. We're going to form a committee that would be comprised of some people in the horse world to assist us in developing a new RFP so that can be out on the street hopefully shortly after the first of the year.

CHAIRPERSON FIELDS:

Wasn't there an RFP committee already set up, but you didn't --

COMMISSIONER GORDON:

We didn't -- I didn't even bring them together because I didn't think that the proposals were good enough for somebody to even consider them.

CHAIRPERSON FIELDS:

And that RFP Committee, would they not have been good to use to meet and talk about producing the next RFP?

COMMISSIONER GORDON:

Well, I think what we wound up doing was expanding the Committee to include more people that are involved in the horse community.

CHAIRPERSON FIELDS:

Is it true that there are no more -- there aren't going to be any more hack rides after November?

COMMISSIONER GORDON:

No. They may curtail the schedule because of the time of year. But, no, we're not stopping the hack rides.

CHAIRPERSON FIELDS:

Okay. I'm just concerned that this sounds like Suffolk Trap and Skeet again. Or going on that path.

COMMISSIONER GORDON:

Well, the people that are in there now are only there until, I believe, it's September 30th of next year, Steve? September 30th of next year so we have to do something.

CHAIRPERSON FIELDS:

Okay. At our next meeting, could you tell me when this new committee is going to meet to discuss --

COMMISSIONER GORDON:

I think we probably should have a schedule by then, yes, I can do that.

CHAIRPERSON FIELDS:

Okay. Thank you. One question about parks facilities that are being rented. We talked about increasing the rent for Joe, the corn man, because he was utilizing property to park on. Did you do that?

COMMISSIONER GORDON:

Yes.

CHAIRPERSON FIELDS:

Is he paying it?

COMMISSIONER GORDON:

I can't answer that today. I assume he is, but I can certainly get back to you with that information also.

CHAIRPERSON FIELDS:

Okay. Thank you. Okay. Anyone have any questions? Do you have anything that you want to

--

COMMISSIONER GORDON:

No, I don't think so.

CHAIRPERSON FIELDS:

Okay. Let's start with the resolutions. **IR 1404 to amend the user fee schedule for Suffolk County Parks.**

LEG. ALDEN:

I guess to Budget Review, what presumption do we use in the budget process for user fees?

MR. CLANCY:

I believe that it was actually -- that it would go through; that this would be passed. Is that what you're referring to?

LEG. ALDEN:

Yes.

MR. CLANCY:

Yes.

LEG. ALDEN:

And how much is the difference between like the old fees and the amended fees? So if we don't pass this, what's the difference that we're talking about as far as revenue?

MR. CLANCY:

The fiscal impact included with the resolution, off the top of my head I don't recall. I think it was in the neighborhood of 320 thousand?

COMMISSIONER GORDON:

Yes.

MR. CLANCY:

If you'd like, I can verify that.

COMMISSIONER GORDON:

It's approximately 320 thousand.

MR. CLANCY:

322. 322 thousand.

LEG. CARPENTER:

Was that exact amount put into the budget before or was it less?

MR. CLANCY:

I think it was slightly less.

LEG. CARPENTER:

Motion to table.

LEG. ALDEN:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled.

IR 1406 to implement RFP Committee for Concessionaire Program at County Parks.

COMMISSIONER GORDON:

I haven't talked to the Presiding Officer's office but I would assume that that should be tabled again.

LEG. ALDEN:

Motion to table.

LEG. CARPENTER:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled.

IR 1814 amending 2003 Capital Budget and Program and appropriating funds in connection with improvements at county campgrounds. Can we -- just for the record, which campgrounds we are improving?

LEG. ALDEN:

Motion.

COMMISSIONER GORDON:

Well, it would be campgrounds in general, but most of this money, I believe, is going towards the project that we're doing in Indian Island. We're adding -- we're putting in water and electric to 35 sites there. And we're also reconfiguring those sites as well as reconfiguring the group camping area. And I think the bids came back a little higher than we had anticipated.

CHAIRPERSON FIELDS:

Is this the one that says reconstruction of spillways?

COMMISSIONER GORDON:

Yes. It's taking the money -- it's money that was originally --

MR. SABATINO:

That's the offset, yes.

COMMISSIONER GORDON:

Yes.

MR. SABATINO:

Just one technical thing, Madam Chair, the third whereas clause should be stricken because it refers to changing them after the financing, but you're not. You're using the offset. So, just for the record, that clause should be stricken to be accurate.

CHAIRPERSON FIELDS:

Can we --

COMMISSIONER GORDON:

I'm sorry, which clause?

MR. SABATINO:

You can still vote. But the third whereas clause says you're changing your method of financing, but you're not. You're doing the offset from the reconstruction of spillways, so it's an offset; not a change in financing. It's just a technical point just to make sure the resolution is accurate.

CHAIRPERSON FIELDS:

All right. Motion to approve we had already. Second.

LEG. CARPENTER:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Approved.

IR 1838 establishing a Task Force to study the need for a ATV park in Suffolk County.

LEG. CARPENTER:

I was just asking the Commissioner if she's supportive of this.

COMMISSIONER GORDON:

Well, yes and no.

LEG. CARPENTER:

Depending on where it is.

COMMISSIONER GORDON:

No. I think that the -- this is coming up with a committee to look at the situation. I am not convinced that anything will be found for these people. I know that there's a lot of controversy out there about this issue. But I being a realist, I know that these things are not going away, they're going to continue to be used, they're going to continue to be sold and they're going to continue to be used illegally on our County parklands. If we could find a location, I think it

would be a great thing. Is it going to get rid of the problem completely? No. But it might reduce it to some extent. So I think it can't hurt to look at it.

LEG. CARPENTER:

So, it's like chicken soup.

COMMISSIONER GORDON:

I'm sorry?

LEG. CARPENTER:

Like chicken soup.

COMMISSIONER GORDON:

I don't think it could hurt to look at the situation.

CHAIRPERSON FIELDS:

I don't agree. I think the law enforcement groups are very much against this. I think that when you -- I copied the report that we had from about a year ago. And when you look at all of the issues, I mean pollution, vegetation damage, the incidents of people getting hurt, which are increasing, again and again and again; the fact that they don't tend to stay on the trails. And we don't have the personnel to make them stay on the trails.

COMMISSIONER GORDON:

Excuse me, Legislator Fields. I think one of the good things if we were to find a location, and I think that what we would be looking for was, you know, certainly maybe something similar to the facility that we have up in Setauket that was a former sand pit. If we could find a location like that, I think what probably would come out of this is that you would have a group that would help to police the facility also. You know, so I think it could be run in a fashion that was certainly much better operated than having these people just out --

CHAIRPERSON FIELDS:

But that's not going to stop them from going to the rest of our parks. It's just going to increase the amount of ATV --

COMMISSIONER GORDON:

No, I think it would stop it to some extent. I don't think -- I'm not going to be a Pollyanna and

think it would get rid of it.

CHAIRPERSON FIELDS:

Angie, then Cameron.

LEG. CARPENTER:

I think for some of the reasons that the Chairman is articulating that we not do this, I think maybe a good reason to at least look at it as the Commissioner said, it certainly can't hurt to look at it. And they're only going to be coming to us with a recommendation either yea or nay or, you know, if they do find a site. But I think that the problem is not going to go away. Legislator Alden just mentioned to me we were at a dedication on Sunday in Central Islip. And a trailer pulled up with ATV's. And when they saw the ceremony going on, they immediately left. But it happens all over the Island. And, you know, I think at least with looking at the membership on this Committee, the various representatives of these user groups, these ATV associations, would be participating. And perhaps they would be willing, as you say, to come forward and offer to do some of the monitoring and policing of it and encourage their members to do this in an appropriate venue, if in fact, such a place will exist. But, you know -- and if that were to happen, at least the police or anyone else that, you know, comes upon these people that are doing it illegally can say to them, look --

COMMISSIONER GORDON:

Offer an alternative.

D.P.O. CARACAPPA:

-- there is a place to go. This isn't it, you know. So, I don't know. I think we should try -- we should at least consider letting the task force go forward.

CHAIRPERSON FIELDS:

I would like to see on that task force someone that would be represented from law enforcement.

LEG. CARPENTER:

Good point.

COMMISSIONER GORDON:

That's probably -- yes, I agree with that.

CHAIRPERSON FIELDS:

And there is not. So I'm going to make a motion to table and I'll speak to the author and ask if he will increase that by at least one person from --

COMMISSIONER GORDON:

Can I make a comment also?

CHAIRPERSON FIELDS:

Sure.

COMMISSIONER GORDON:

I had also -- we don't have a Park Trustee on it. And I communicated with Legislator Crecca's office we'd like to have a Park Trustee also.

CHAIRPERSON FIELDS:

Then both of those, I think, we will reach out to Legislator Crecca.

LEG. ALDEN:

On the motion to table. I think we have to get a little more specific with our suggestion to him. Law enforcement, because as you know the County's broken into two separate types of law enforcement, so I think we need something like an east end, we need a west end if we're going to do something along those lines because our police don't really go out and --

CHAIRPERSON FIELDS:

I would even like to see someone from DEC because when they do the stings, it's not just Suffolk County or Parks Police, but DEC has a very large role.

LEG. ALDEN:

So maybe we can make a suggestion that not just one law enforcement agency is represented that, you know, we reach out to maybe a couple of different ones, whether it be towns in the east end because they have the problem, too, on town land out there; and then somebody from the west end. But, also, I have a question for Paul Sabatino. Paul, does this give the authority to look at all options? For instance, private development of an ATV park or, you know, whether it be purchasing land or using existing land? Is it pretty much open-ended as far as what they

can study and look at?

MR. SABATINO:

Yes. It's basically just to come up with an idea of where it should be located. There are no restrictions in terms of how it might ultimately be funded or constructed.

LEG. ALDEN:

As long as we're going to take a fair look at all the possibilities because it might not be something Suffolk County wants to do, but we might be able to encourage the private development. And I can think of a couple areas; like you're talking about old sand pits. There's other areas where there used to be garbage dumps, lands fills. And now they're capped. And that property might not be as sensitive as something that we own in our Parks Department. So as long as we're going to look at the whole problem and maybe come up with some kind of ambitious, maybe even, solution to it.

CHAIRPERSON FIELDS:

Okay. We made a motion to table.

LEG. ALDEN:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled.

IR 1846 appointing Joanna Ferraro-Levy as a member of the Suffolk County Citizens Advisory Board for the Arts.

Is Joanna Ferraro-Levy here? I'll make a motion to table.

LEG. ALDEN:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled.

Does anyone else want to address the Committee? Okay. That might be a record. Adjourned.

(THE MEETING WAS CONCLUDED AT 12:38 PM)